

Senate File 252

S-3189

1 Amend Senate File 252 as follows:

2 1. Page 5, by striking lines 8 through 11 and  
3 inserting:

4 <3. In an action under this section, the court  
5 shall award to the prevailing party the costs of  
6 the action and to the prevailing party's attorney  
7 reasonable attorney fees.>

8 2. Page 5, by striking lines 12 through 16.

9 3. By striking page 5, line 21, through page 6,  
10 line 3 and inserting:

11 <b. Rental agreements shall be canceled by at least  
12 sixty days' written notice given by either party. A  
13 landlord shall not cancel a rental agreement solely for  
14 the purpose of making the tenant's mobile home space  
15 available for another mobile home.>

16 4. Page 7, by striking lines 17 and 18 and  
17 inserting <section 562B.16. In any such action the  
18 court may award to the prevailing party the costs of  
19 the action and to the prevailing party's attorney  
20 reasonable attorney fees.>

21 5. By striking page 8, line 18, through page 9,  
22 line 24.

23 6. Page 9, by striking lines 25 and 26 and  
24 inserting:

25 <Sec. \_\_\_\_\_. Section 562B.31, Code 2011, is amended  
26 to read as follows:

27 **562B.31 Landlord and tenant remedies for abuse of  
28 access to mobile home space.**

29 1. If the tenant refuses to allow lawful access  
30 to the mobile home space, the landlord may terminate  
31 the rental agreement and may recover actual damages  
32 plus attorney fees to be awarded to the landlord's  
33 attorney.>

34 7. Page 10, by striking lines 15 through 32.

35 8. Page 11, line 1, by striking <If> and inserting  
36 <If Except as provided in subsection 2, if>

37 9. Page 11, line 4, after <execution> by inserting  
38 <shall issue providing>

39 10. Page 11, by striking line 5 and inserting <from  
40 the entry of judgment shall issue accordingly, to which  
41 shall be>

42 11. Page 11, by striking lines 8 through 11 and  
43 inserting:

44 <2. In cases covered by chapter 562B, if the  
45 defendant is found guilty, judgment shall be entered  
46 that the defendant be removed from the premises,  
47 and that the plaintiff be put in possession of the  
48 premises, and an execution shall issue providing for  
49 the defendant's removal within seven days from the  
50 entry of judgment, to which shall be added a clause

1 commanding the officer to collect the costs as in  
2 ordinary cases. The order of judgment entered by the  
3 court shall describe the rights of each party described  
4 in section 648.22A.>

5 12. Page 11, line 20, by striking <three> and  
6 inserting <three seven>

7 13. Page 11, by striking lines 22 through 28 and  
8 inserting <be removed without the prior payment to the  
9 plaintiff of all sums owing at the time of entry of  
10 judgment, interest accrued on such sums as provided  
11 by law, and per diem rent for that portion of the  
12 sixty-day period>

13 14. By striking page 11, line 31, through page 12,  
14 line 1.

15 15. By renumbering as necessary.

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RANDY FEENSTRA